

Message

From: Armstead, John A. [Armstead.John@epa.gov]
Sent: 6/21/2018 6:04:53 PM
To: Jamieson, Cheryl [Jamieson.Cheryl@epa.gov]; Rice, Scott [Rice.Scott@epa.gov]; Pratt, Stacie [Pratt.Stacie@epa.gov]
CC: Bunker, Kelly [Bunker.Kelly@epa.gov]; daw, harry [daw.harry@epa.gov]; Sternberg, David [Sternberg.David@epa.gov]
Subject: RE: Reporter asks about Hazleton Creek's noncompliance for PCB regulations

Agreed folks. And when we have an answer, it will inform how we should respond since this is an open compliance assurance matter which should be held in confidence until fully adjudicated.

*John A. Armstead, Director
Land & Chemicals Division (3LC00)
EPA Mid-Atlantic Region 3
215-814-2992 (o)
Leadership – Commitment - Determination*

From: Jamieson, Cheryl
Sent: Thursday, June 21, 2018 1:56 PM
To: Rice, Scott <Rice.Scott@epa.gov>; Pratt, Stacie <Pratt.Stacie@epa.gov>
Cc: Bunker, Kelly <Bunker.Kelly@epa.gov>; Armstead, John A. <Armstead.John@epa.gov>; daw, harry <daw.harry@epa.gov>; Sternberg, David <Sternberg.David@epa.gov>
Subject: RE: Reporter asks about Hazleton Creek's noncompliance for PCB regulations

I am in the process of doing some pre 78 research, and looking at soil and various provisions of the regs. I would like us to wait to respond. Cheryl

From: Rice, Scott
Sent: Thursday, June 21, 2018 1:41 PM
To: Pratt, Stacie <Pratt.Stacie@epa.gov>
Cc: Jamieson, Cheryl <Jamieson.Cheryl@epa.gov>; Bunker, Kelly <Bunker.Kelly@epa.gov>; Armstead, John A. <Armstead.John@epa.gov>; daw, harry <daw.harry@epa.gov>; Sternberg, David <Sternberg.David@epa.gov>
Subject: Re: Reporter asks about Hazleton Creek's noncompliance for PCB regulations

Here is a draft response for review/editing/comment. Regards

Mr. Jackson,

Deliberative Process / Ex. 5

From: Pratt, Stacie
Sent: Thursday, June 21, 2018 11:14:38 AM
To: Rice, Scott
Cc: Jamieson, Cheryl; Bunker, Kelly; Armstead, John A.; daw, harry; Sternberg, David
Subject: FW: Reporter asks about Hazleton Creek's noncompliance for PCB regulations

Here's another one – Scott, please take a look, and provide some draft responses, and we can go from there with input from the team.

Dave – We will work on this.

Thanks.

From: Sternberg, David
Sent: Thursday, June 21, 2018 11:10 AM
To: Pratt, Stacie <Pratt.Stacie@epa.gov>
Cc: frankel, michael <frankel.michael@epa.gov>; Libertz, Catherine <Libertz.Catherine@epa.gov>; schaffer, joan <schaffer.joan@epa.gov>; Brown, Kinshasa <Brown.Kinshasa@epa.gov>; daw, harry <daw.harry@epa.gov>; Wzorek, Katherine <wzorek.katherine@epa.gov>
Subject: FW: Reporter asks about Hazleton Creek's noncompliance for PCB regulations

Hi Stacie,

Roy is out this week so I've been asked to pinch hit. I think this would be something your group would handle. While it may be premature to answer all of Mr. Jackson's questions, please let me know your thoughts. Feel free to call me if you would like to discuss.

If this is not yours please let me know the appropriate subject matter expert I need to contact.

Thanks,

David
X5548

From: schaffer, joan
Sent: Thursday, June 21, 2018 10:51 AM
To: Sternberg, David <Sternberg.David@epa.gov>
Subject: FW: Reporter asks about Hazleton Creek's noncompliance for PCB regulations

David – could you follow up on this one?
Let me see if Roy sent me an email before he left on vacation...thanks.

Joan T. Schafer, Senior Advisor
U.S. Environmental Protection Agency
Region 3 Office of Communications and Government Relations
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Philadelphia, PA 19103

215-814-5143 (ph)
215-814-5102

From: Kent Jackson [mailto:kjackson@standardspeaker.com]
Sent: Thursday, June 21, 2018 9:29 AM
To: schaffer, joan <schafer.joan@epa.gov>
Subject: Reporter asks about Hazleton Creek's noncompliance for PCB regulations

Dear Ms. Schafer,

Roy Seneca and I emailed about the attached letter from April 24 before he went on vacation. On Tuesday, I talked with officials from Hazleton Creek who said the fill cited in EPA's notice of noncompliance from came from sites where PCB spills occurred before 1978. Consequently, they say the fill can contain up to 50 ppm of PCBs so the loads were exempt from the provision of the Toxic Substances Control Act restricting use of soil containing more than 2 ppm of PCBs. They cited page 47 of this EPA manual

<https://www.epa.gov/sites/production/files/2015-08/documents/qacombined.pdf>.

Also, the company people expected officials from EPA and the state Department of Environmental Protection to discuss the letter and whether the loads failed to comply with federal or state rules, including the company's permits.

Does the EPA accept or reject the company's argument?
Has Hazleton Creek submitted information that EPA requested in the April 24 letter?
What if any further action or instructions will EPA give to the company about the fill containing PCBs?

Thanks,
Kent

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Kent Jackson
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